

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RAYMOND F. JUSTIS,**  
**Plaintiff,**

**v.**

**DEPARTMENT OF AGRICULTURE,**  
**Defendant.**

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**CIVIL ACTION NO. 23-CV-4193**

**ORDER**

**AND NOW**, this 7th day of January 2025, upon consideration of Defendant United States's Motion to Dismiss for Failure to State a Claim or, in the Alternative, for Summary Judgment (ECF No. 19), Plaintiff Raymond F. Justis's Response (ECF No. 22), and Defendant's Reply (ECF No. 23), it is **ORDERED** that:

1. The Motion (ECF No. 19) is **GRANTED** for the reasons stated in the Court's accompanying Memorandum.
2. The Amended Complaint (ECF No. 15) is **DISMISSED WITH PREJUDICE**.
3. The MSPB's January 23, 2023 decision is **AFFIRMED**.
4. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

**BY THE COURT:**

/s/ Joel H. Slomsky

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**JOEL H. SLOMSKY, J.**